

**BY ORDER OF THE COMMANDER
HOLLOMAN AIR FORCE BASE**

**HOLLOMAN AIR FORCE BASE
INSTRUCTION 36-802**



30 SEPTEMBER 2013

Personnel

***CIVILIAN OVERTIME
REQUEST PROCEDURES***

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RELEASABILITY: There are no releasability restrictions on this publication

OPR: 49 FSS/FSMC

Certified by: 49 FSS/CC
(Lt Col Caryn L. Kirkpatrick)

Pages: 5

This instruction expands upon criteria in AFI 36-802, *Pay Setting*, and establishes procedures on how to account for civilian overtime work. It applies to all Air Combat Command (ACC) Holloman Air Force Base appropriated fund civilian employees, excluding the 49th Medical Group, and 49th Material Maintenance Group. It defines responsibilities for supervisors and civilian employees in the administration of overtime pay and compensatory time as compensation for overtime work. This Instruction implements and extends the guidance of Title 5, Code of Federal Regulations (CFR), Air Force Instruction (AFI) 36-807, *Weekly and Daily Scheduling of Work and Holiday Observances*, DoD 7000.14-R, *Financial Management Regulation*, Fair Labor Standards Act (FLSA), AFI 36-815, *Absence and Leave*, AFI 36-802, *Pay Setting* and AFI 33-332, *Privacy Act Program*. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS) located at <https://www.my.af.mil/afirms/afirms/afirms/rims.cfm>. Contact supporting records managers as required. Refer recommended changes and questions to the Office of Primary Responsibility (OPR) using AF Form 847, *Recommendation for Change of Publication*, to 49 FSS/FSMC, 681 Second Street, Holloman AFB, NM 88330-8060.

1. Policy. Management officials must ensure that overtime expenditures are only paid when it is mission critical. Civilian overtime will be held to an absolute minimum by making every effort to accomplish work within the normal 40-hour work week or approved Alternative Work Schedule. Management must use all resources (i.e., flexible schedules, credit hours) to avoid

overtime. Only overtime determined to be absolutely necessary to carry out the assigned mission on a timely basis will be considered for approval.

2. Overtime Work.

2.1. Regular Overtime Work. Regular overtime work means overtime work that is part of an employee's regularly scheduled administrative work week.

2.2. Irregular or Occasional Overtime Work. Irregular or occasional overtime work means overtime work that is not part of an employee's regularly scheduled administrative work week.

3. Computation of Overtime Pay. For employees with rates of basic pay equal to or less than the rate of basic pay for GS-10, step 1, the overtime hourly rate is the employee's hourly rate of basic pay multiplied by 1.5. Holiday premium pay is 2 times the hourly rate.

4. Compensatory Time. Compensatory time is defined as an equivalent amount of compensatory time off for irregular or occasional overtime work performed in lieu of overtime pay.

4.1. Employees who are Fair Labor Standards Act (FLSA) non-exempt must receive overtime pay unless they request compensatory time off in lieu of overtime pay.

4.2. Employees may not be directed or expected to work overtime without compensation either in the form of overtime pay or compensatory time. FLSA-exempt employees, whose rate of pay exceeds the maximum rate of GS-10, step 10, will receive compensatory time off. Exempt employees, whose salary is equal to or is less than GS-10, step 10, may elect compensatory time in writing. (**Note:** When FMA has determined there will be excess civilian pay funds, the Civilian Employment Cost Management Committee can permit Squadron Commanders to approve overtime pay in lieu of compensatory time for FLSA-exempt employees whose rate of pay exceeds the maximum rate of GS-10, step 10.)

4.3. All non-exempt and Federal Wage System employees may elect compensatory time in writing.

4.4. If an employee is to receive compensatory time in place of receiving overtime pay, the employee will be compensated for irregular or occasional overtime work with an amount of compensatory time off equal to the number of hours worked.

4.5. Compensatory time must be used within 26 pay periods or it will be paid at the overtime rate in which it was earned.

5. Compensatory Time in Connection with Temporary Duty (TDY) Travel.

5.1. Time in a travel status includes the time an employee spends traveling between the official duty station and a temporary duty station, and the usual waiting time that precedes or interrupts such travel. Travel time in connection with an employee's permanent change of station is not time in a travel status.

5.2. Waiting time. Airline travelers generally are required to arrive at the airport at a designated pre-departure time. Such waiting time at the airport is considered usual waiting time and is creditable time in a travel status. In addition, time spent at an intervening airport waiting for a connecting flight also is creditable time in a travel status. If an employee experiences an extended (i.e., not usual) waiting time between actual periods of travel during

which the employee is free to rest, sleep, or use the time for his or her own purposes, the extended waiting time is not creditable as time in a travel status.

5.3. Travel involving two or more time zones. When an employee's travel involves two or more time zones, the time zone from the point of first departure must be used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off.

5.4. Payment for unused compensatory time off for travel not covered by FLSA is not authorized under any circumstances. Unused compensatory time in connection with travel will be forfeited if not used within 26 pay periods.

6. Credit Hours. Credit Hours are time worked by an employee on a flexible work schedule that are earned and used during the same pay period.

6.1. Credit hours are authorized at the discretion of the supervisor. The intent is that hours are not to be banked. Credit Hours should be earned and used during the same pay period. For example: an employee on a flexible work schedule may work 9 hours on Monday (earning 1 credit hour) then work 7 hours on Tuesday (using that credit hour).

7. Overtime Requests. AF Form 428, *Request for Overtime*, is used to request, approve, and report all civilian overtime/compensatory time. The AF Form 428 must be completely processed through FMA before overtime is worked, unless overtime is needed due to an emergency. The AF Form 428 does not need to be processed through FMA for compensatory time.

7.1. Supervisors must submit an AF Form 428, *Request for Overtime*, a written justification, a description of the nature of the work to be performed and compensatory time request, if applicable, for written approval prior to the overtime scheduled to be worked. Prepare a separate form for each pay period involved.

7.2. Upon squadron commander's approval, all requests for overtime payment must be submitted and certified through FMA to ensure funding is available.

8. Supervisor Responsibilities.

8.1. Supervisors determine requirements for overtime/compensatory time.

8.2. Requests will be carefully reviewed by the supervisor for appropriateness of substituting compensatory time in lieu of payment for overtime.

8.3. It is the duty of the supervisor to inform the employee, without coercion, of the right to request compensatory time rather than overtime payment.

8.4. Supervisors should contact the Civilian Personnel Section for assistance in determining alternatives to overtime requests (i.e., change in work schedules, assignment of shifts, etc).

8.5. Supervisors must ensure compensatory time off is used within 26 pay periods after it is earned or it will convert to overtime pay. Supervisors will make every effort to schedule compensatory time off to ensure it is not paid out unless absolutely necessary.

8.6. Supervisors are to brief employees on the number of hours authorized to work overtime and ensure that the total cost of the overtime does not exceed the amount previously approved.

9. Reporting Overtime. Timekeepers must closely review all overtime requests to ensure compliance with this instruction. Overtime work is recorded on the timekeeping form in quarter hour increments.

ANDREW A. CROFT, Colonel, USAF
Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Fair Labor Standards Act (FLSA)

Title 5, Code of Federal Regulations, Part 550

AFI 33-332, *Privacy Act Program*, 16 May 2011

AFI 36-802, *Pay Setting*, 1 Sep 1998

AFI 36-807, *Weekly and Daily Scheduling of Work and Holiday Observances*, 21 June 1999

AFI 36-815, *Absence and Leave*, 5 September 2002

AFMAN 33-363, *Management of Records*, 1 March 2008

DoD 7000.14-R, *Financial Management Regulation*, 3 March 2006

Adopted Form

AF Form 428, *Request for Overtime, Holiday Premium Pay, and Compensatory Time*.

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

49 FSS/FSMC—49th Force Support Squadron Civilian Personnel Section

ACC—Air Combat Command

AFRIMS—Air Force Records Information Management System

CFR—Code of Federal Regulations

FLSA—Fair Labor Standards Act

FMA—Comptroller

FWS—Federal Wage System

GS—General Schedule

IAW—In Accordance With

OPR—Office of Primary Responsibility

RDS—Records Disposition Schedule

TDY—Temporary Duty